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Federal court upholds Republican initiative to limit out-of-state trash

LANSING – Michigan has moved a step closer to having the out-of-state waste restrictions residents have been calling for, thanks to a ruling issued today in federal court upholding state law.

U.S. District Court Judge Avern Cohn has ruled Michigan's new restrictions on out-of-state waste are constitutional and can be implemented Nov. 1.

"The Legislature introduced these laws in response to the overwhelming concern Michigan residents have in regard to out-of-state waste," said Senate Majority Floor Leader Beverly S. Hammerstrom, R-Temperance. "I'm pleased to see the court agree that we have the right to protect our state from becoming a dumping ground for everyone else's trash."

The package of laws imposes restrictions on the importation of Canadian and out-of-state waste, sets a two-year moratorium on new landfills and gives broader authority to the Michigan Department of Environmental Quality to enforce these tougher garbage standards.

Under the new rules, all Canadian and out-of-state waste is required to meet the same stringent standards Michigan has for its own waste. Landfills are required to refuse any out-of-state waste that does not meet the tough standards.

The new laws represent a bi-partisan effort to limit the importation of Canadian and out-of-state waste. Canadian and out-of-state-waste accounts for approximately 25 percent of all trash entering Michigan's landfills.

"Out-of-state-waste has become a major concern," Hammerstrom said. "My colleagues and I are committed to protecting our environment and our precious natural resources. This is not a problem we want to leave for our children and their children to deal with."

The National Solid Wastes Management Association sued to block the new laws in April on the grounds that only Congress, not the state of Michigan, has the power to regulate interstate commerce, including trash.

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